

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1, 2, 16, 19, 21, 25, 30 and 31. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-16 and 18-31 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-5, 12, 14, 16, 18-20, 23, 25-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ernam (US 6097951) in view of Guturu (US 2004/0008643). The Applicant respectfully traverses the rejection of these claims.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations (MPEP 2143). In that regard, the Applicant respectfully submits that the Examiner's two references still fail to teach or suggest each and every element of the presently pending independent claims.

The Applicant respectfully directs the Examiner's attention to claim 1:

1. (Currently Amended) A communications system comprising
 - a number of core networks with a plurality of core network functional server nodes (core nodes) arranged in a pool and
 - a number of radio access networks, each with a number of radio access network control nodes that support pooling of core nodes;
 - a mobile station (MS) moving from a first radio access network (RAN) control node that does not support pooling of core nodes to a second RAN control node that does support pooling of core nodes, wherein the first RAN control node is served by a first core node belonging to the pool and,
means in the first core node for enabling the mobile station to remain connected to said first core node, said means providing a

temporary mobile station identity (temporary MS id)((P)-TMSI), including a unique identity of the first core node within the core node pool. (emphasis added)

The Ernam reference is cited for disclosing pooled core nodes and is directed at multiple mobile switching center wireless networks employing a dispatcher switch to distribute attached subscribers among the MSCs of a given network. (Summary). The Guturu reference is cited for teaching carrier (frequency) selection so that if a call capability does not support the radio configuration for a call the carrier is downgraded. Guturu is directed at pooled carrier frequencies, i.e., "...[C]ode Division Multiple Access (CDMA) service providers maintain a pool of carriers (frequencies)..." and not pooled nodes as in the Ernam reference. Therefore, the Applicant respectfully asserts that a person skilled in the art would not look to Guturu to modify Ernam as described in the Detailed Action on page 3.

The Applicant's invention discloses and is directed at movement of a mobile station between networks wherein one network has pooled core nodes and another network where the core nodes are not pooled. In order to reduce the number of messages back and forth to connect the mobile station as it moves from one type of network to another the Applicant discloses a pool of core nodes with a first core node. The first core node sends a temporary mobile station identity, including a unique ID of the first core node within the pool, to the mobile station when a connect/attach message is sent to the Mobile station. The purpose of the unique first core node ID is so the mobile station can remain connected to the first core node in the pool; i.e., "[T]hus, when the mobile station returns to a control node that is pool enabled, the MS can remain connected to the same core node as it was connected to when it was under control of a non-pool enabled control node." (Paragraph [0026])

Neither the Ernam reference nor the Guturu reference discloses sending a unique id for a pooled core node to a connected mobile station. Therefore, a *prima facie* case of obviousness has not been met. This being the case, the Applicant respectfully requests the allowance of claim 1 and analogous claims 16 and 25 which contain similar limitations.

Claims 2-5, 12, 14, 18-20, 23 and 26-27 depend from amended claims 1, 16 and 25 respectively and recite further limitations in combination with the novel elements of claims 1, 16 and 25. Therefore, the allowance of claims 1-5, 12, 14, 16, 18-20, 23, 25-27 is respectfully requested.

Claims 6-11, 13, 15, 21-22, 24, 28-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ernam in view of Guturu, further in view of Maguire (US 2003/0028644). The Applicant respectfully traverses the rejection of these claims.

The Maguire reference fails to supply the missing limitations that are lacking in the Ernam and Guturu references. The Applicant respectfully suggests that a prima facie case for unpatentability has not been met. Therefore, the Applicant respectfully requests the withdrawal of claims 6-11, 13, 15, 21-22, 24, 28-31

Prior Art Not Relied Upon

In paragraph 4 on page 14 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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Date: December 15, 2008

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